

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mrs. LOEFFLER).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. CRAMER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 1, as follows:

[Rollcall Vote No. 250 Leg.]

YEAS—96

Alexander	Fischer	Peters
Baldwin	Gardner	Portman
Barrasso	Gillibrand	Reed
Bennet	Graham	Risch
Blackburn	Grassley	Roberts
Blumenthal	Hassan	Romney
Blunt	Hawley	Rosen
Booker	Heinrich	Rounds
Boozman	Hirono	Rubio
Braun	Hoeven	Sasse
Brown	Hyde-Smith	Schatz
Burr	Inhofe	Schumer
Cantwell	Johnson	Scott (FL)
Capito	Jones	Scott (SC)
Cardin	Kaine	Shaheen
Carper	Kelly	Shelby
Casey	Kennedy	Sinema
Cassidy	King	Smith
Collins	Klobuchar	Stabenow
Coons	Lankford	Sullivan
Cornyn	Leahy	Tester
Cortez Masto	Manchin	Thune
Cotton	Markey	Tillis
Cramer	McConnell	Toomey
Crapo	Menendez	Udall
Cruz	Merkley	Van Hollen
Daines	Moran	Warner
Duckworth	Murkowski	Warren
Durbin	Murphy	Whitehouse
Enzi	Murray	Wicker
Ernst	Paul	Wyden
Feinstein	Perdue	Young

NAYS—1

Lee

NOT VOTING—3

Harris Loeffler Sanders

The PRESIDING OFFICER. The 60-vote threshold having been achieved, the bill is passed.

The bill (S. 578) was passed, as follows:

S. 578

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “ALS Disability Insurance Access Act of 2019”.

SEC. 2. ELIMINATION OF WAITING PERIOD FOR SOCIAL SECURITY DISABILITY INSURANCE BENEFITS FOR DISABLED INDIVIDUALS WITH AMYOTROPHIC LATERAL SCLEROSIS (ALS).

(a) IN GENERAL.—Section 223(a)(1) of the Social Security Act (42 U.S.C. 423(a)(1)) is amended in the matter following subparagraph (E) by striking “or (ii)” and inserting “(ii) in the case of an individual who has been medically determined to have amyotrophic lateral sclerosis, for each month beginning with the first month during all of which the individual is under a disability and in which the individual becomes entitled to such insurance benefits, or (iii)”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to applications for disability insurance benefits filed after the date of the enactment of this Act.

The PRESIDING OFFICER. Under the previous order, the motion to re-

consider is considered made and laid upon the table.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The Senate will now resume executive session in consideration of the Waller nomination.

The Senator from Arkansas.

ALS DISABILITY INSURANCE ACCESS ACT

Mr. COTTON. Mr. President, I am very pleased the Senate has just passed the ALS Disability Insurance Access Act, 96 to 1, a bill that will bring relief to many Americans suffering from a terrible disease.

ALS is a progressive neurodegenerative disease. People with ALS tragically lose the ability to control their muscles, leading to paralysis and, ultimately, death. There is no cure.

Many are familiar with ALS because of the baseball legend who succumbed to it at the height of his career, Lou Gehrig. Others know Lou Gehrig's disease because it has touched them or a neighbor or a loved one.

I have been fortunate to know several people with ALS. One of my earliest supporters in my first campaign was the great Tommy May of Pine Bluff. Tommy, amazingly, has lived with ALS for nearly 15 years, beating the odds with courage and good humor. Given the gift of time, he devoted his energy to finding a cure for ALS, serving as a trustee on the national ALS Association board. ALS advocates are lucky to have a fighter like Tommy on their side.

I have also been fortunate to know Kip Jackson of Little Rock and Thomas Galyon of Rogers and others. Sadly, these ALS advocates have passed away, but I know how pleased they would be to see this bill cross the finish line today.

ALS is not like other diseases. It typically appears, without warning, later in life. Its life expectancy within 16 months is only 50 percent—no better than a coin toss. In other words, ALS strikes fast, and it strikes hard.

People with ALS typically apply for disability benefits through Social Security. There is a problem. Disability has a 5-month waiting period. This waiting period is meant to ensure that applicants aren't suffering from a temporary affliction, and under most circumstances, it is appropriate.

But, of course, ALS isn't temporary. For those who have it, given the odds they face, every month counts. That is why, years ago, Senator WHITEHOUSE and I introduced the ALS Disability Insurance Access Act, which will waive this 5-month period for people with ALS. This will ensure they have rapid access to Social Security in the early days of their diagnosis, so they don't have to worry about benefits and can focus instead on the things that really

matter during what could be their final months on Earth.

On their behalf, I want to thank Senator WHITEHOUSE for his partnership over the years. I want to thank Senator BRAUN for what he has done to help get this bill across the finish line today. I am pleased so many of our colleagues supported this bill.

I want to explain briefly my position on the amendment offered by Senator GRASSLEY. I support the amendment in concept, but I opposed the amendment today because the original purpose of this bill has always been to address ALS specifically.

I will support Senator GRASSLEY's language in future legislation, but to pass this bill in the final days of the 116th Congress, the Senate—and especially in the days ahead in the House—it was vital that we send the unamended bill to the House.

I look forward to working with Senator GRASSLEY in the next Congress to ensure the sustainability of both the Social Security Disability and the ALS trust fund. He has been a great partner in protecting these vital programs, and I know he will be in the future.

Finally, I want to close by quoting Lou Gehrig's final address at Yankee Stadium in 1939. He had just received his fatal diagnosis. He didn't focus on the hardships that lay in his future. Instead, he famously exclaimed:

I consider myself the luckiest man on the face of the Earth. . . . I might have been given a bad break, but I have an awful lot to live for.

The same could be said of every person living with ALS today. They have an awful lot to live for, and this bill will help them live.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, let me thank Senator COTTON for his work with me in getting this bill to this happy result.

As the Presiding Officer knows, a bill can look like it was easy to get done when it passes 96 to 1, but that doesn't mean that the pathway was easy. This has been years and years of effort.

Senator COTTON really helped make it possible, so I am very grateful to him.

I also want to thank Senator BRAUN, who was the first Republican Member to join me in this and who has been a constant ally and source of support and encouragement.

I would also like to extend my appreciation to Chairman GRASSLEY of the Finance Committee. This is a Finance Committee jurisdiction bill. Chairman GRASSLEY was willing to let it go forward as long as he got his amendment—without insisting on his amendment being part of the bill. He got his vote. We voted it down, and the bill has now gone forward, and that reflects a very high degree of forbearance and courtesy from Chairman GRASSLEY, which I respect and appreciate.

I also want to thank the ranking member on Finance, Senator WYDEN,

who has worked very hard to make sure that finance issues were resolved and that he was comfortable with it. He and GRASSLEY were able to give it committee clearance to come to the floor with their support on these terms.

I also want to thank Senator LEE—MIKE LEE—for his forbearance. He has been interested in this bill in the past. We debated it on the Senate floor, and he has allowed it to proceed in this way also, so I am grateful to Senator LEE.

Of course, that is all the gratitude here within the body for people who made the bill possible, but the people we really need to be grateful to and appreciative of are the ALS advocates who come to us to argue for support and for encouragement. They are filled with hope even though there is no cure. They continue to seek investment in the science to try to figure out a way to a cure. They show immense courage.

This is a devastating, uniquely bad diagnosis for somebody to get. It is very hard for the individual who receives the diagnosis and also terrible for their family as well.

We have all had the experience in this body of seeing our constituents come to advocate on ALS and have the experience of seeing them the first time they come to us with a cane. When they come back the next year, they come back with a wheelchair and, the following year after that, come back with an electronic support mechanism with ventilator assistance and are still able to steer around, but it is an apparatus much more complex than a wheelchair. Then, in the next visit, it is their widow who comes alone.

We have had the chance to do something good here. It made no sense to require people who have this diagnosis wait 5 months before they can begin to get Social Security Disability Insurance benefits. Actually, very often, that first 5 months is when the support makes the most difference in terms of the quality of life that remains during the course of the illness.

We have been at this about 5 years now. Today is a good day in that sense.

I want to call to mind, just as an example of how this strikes at home—our small, local, home State paper, the Providence Journal, has a long tradition of being a very distinguished newspaper. Very often people who worked for it went on to the Wall Street Journal, the New York Times, the Washington Post, and big and famous newspapers and made national names for themselves. The Providence Journal is a really significant newspaper. Just in the course of my time in politics, two of its writers have been stricken with ALS—struck down, in fact, with ALS: Brian Dickinson, first, and Bill Malinowski afterward. Each had to learn to write in very unusual ways, including with their eyeballs by blinking as letters went by on a screen or by directing a laser.

It is a terrible disease, ALS. But one thing that it does is it displays the ex-

traordinary human character of people who fight on through this increasingly disabling condition. The courage that they show and the way that they persist—in this case, to keep writing—Brian Dickinson was writing columns really until the end of his life—stand as an example to all of us of what courage in impossible circumstances looks like. That is a blessing they give to all of us.

With many thanks and much appreciation to J.R. Pagliarini, the president of Rhode Island ALS society, and his president emeritus, Kenneth McGunagle, and to their executive director, Beth Flanagan, I am happy to get this done.

Now we hope that in the final days of this Congress, our friends over in the House—with 300-plus cosponsors on the bill in the House—ought to be able to get out of each other's way and get this done before this Congress concludes.

I yield the floor to my friend and colleague Senator BRAUN with great appreciation.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. BRAUN. Mr. President, today I rise in proud support of legislation that will break down barriers for those with medically determined ALS.

ALS is a progressive and fatal neurodegenerative disease that affects the motor nerve cells in the brain and spinal cord, gradually robbing patients of the ability to eat, speak, and eventually breathe.

Currently, there are no meaningful treatments, no known cause, and no cure. But today, we have reason to hope.

Since 2016, Senators WHITEHOUSE and COTTON have championed the ALS Disability Insurance Access Act. Thanks to their tireless efforts, we are about to give ALS patients and their families more timely access to their Social Security disability benefits. No longer will these patients have to wait 5 months to access benefits they have earned.

Passing this act will help alleviate some of the financial burdens that accompany an ALS diagnosis and will allow patients and their families to focus their precious time where it needs to be—on their loved ones and their battle against the disease.

ALS is not a rare disease. More than 5,600 individuals in the United States are diagnosed each year, meaning 15 Americans are diagnosed each day. Not only is ALS common, it is also extremely personal to many in this Chamber, and it is personal to me.

My cousin Anne Seitz lost her battle with ALS on Thanksgiving Day 10 years ago. Her husband Terry Seitz currently resides in my hometown and is my State director of outreach.

My budget and appropriations staffer, Robert Ordway, and his sister Jennifer lost their father, Douglas Raymond Ordway, to the disease.

Kathy Laesch, a member of my Indianapolis team, has a son Brian who was diagnosed with ALS this summer.

Brian, who also lost his father, has fortunately been enrolled in a clinical trial. We are all praying for his treatments to be effective. In the network of people I have come to know back home and here in the Senate, it shows you just how many lives are affected by it, and there are countless patients it has affected in the Hoosier State.

I would like to personally thank Tina Kaetzel, the executive director of the Indiana ALS Association, for bringing this bill to the attention of our office.

I would also like to give a heartfelt thank you to Corey Polen, of Brownsburg, IN, for his passionate and unwavering advocacy in support of the bill. Corey has become a friend to our office and has also been a champion of legislation I introduced, the Promising Pathway Act, which would provide new FDA authority to more rapidly approve drugs specifically for diseases like this.

I would be remiss if I did not thank I AM ALS, especially Brian Wallach, Danielle Carnival, and Dan Tate, for their unyielding devotion to this and to fixing our broken healthcare system.

Today, we come one step closer to accomplishing this pursuit. It has been a great honor to cofound the first-ever Senate ALS Caucus with my colleague across the aisle, Senator CHRIS COONS, of Delaware. The passage of the ALS Disability Insurance Access Act has been a priority for this caucus since its inception about a year ago. We readily acknowledge that the bill's passage is long overdue and that there is much more work to be done. We look forward to rolling up our sleeves and coming together to advance policies in the future that will continue to improve the quality of life for ALS patients.

In doing so, we celebrate ALS patients—those we have lost, those who are currently fighting this dreadful disease, and those whose journeys have not yet begun. It is a disease that does not have the luxury of a large community from which to raise awareness and fight for reforms. ALS has no survivor community. It is up to us, then, to speak up for those who can no longer speak and to stand up for those who can no longer stand.

To those whom we have lost to ALS and to those currently battling this disease—Anne Seitz, Douglas Raymond Ordway, Brian Laesch, Corey Polen, Brian Wallach, Dan Tate, and so many others impacted by ALS—we here in the U.S. Senate are your advocates.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, today is my 276th climate speech, and my increasingly battered graphic is showing its wear, but for the first time in a really, really long time, there is real hope for climate action in America.

The light of science will shine in a Biden administration. Our U.S. Government will heed actual data. Agencies will act on facts. The White House